

Senate Bill 204

By: Senators Kemp of the 46th, Thomas of the 54th, Zamarripa of the 36th, Goggans of the 7th, Unterman of the 45th and others

AS PASSED

AN ACT

To amend Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to health records, so as to provide that any provider may create, maintain, transmit, receive, and store records in an electronic format; to provide conditions; to provide for legal rights and responsibilities; to provide for tangible copies of records; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to health records, is amended by inserting at the end thereof the following:

31-33-8.

- (a) Notwithstanding any other provision of the law to the contrary, any provider may, in its sole discretion, create, maintain, transmit, receive, and store records in an electronic format within the meaning of Code Section 10-12-3 and may, in its sole discretion, temporarily or permanently convert records into an electronic format.
- (b) A provider shall not be required to maintain separate tangible copies of electronically stored records.
- (c) The other provisions of this chapter shall apply to electronic records to the same extent as those provisions apply to tangible records. This Code section is subject to all applicable federal laws governing the security and confidentiality of a patient's personal health information.
- (d) A tangible copy of a record reproduced from an electronically stored record shall be considered an original for purposes of providing copies to patients or other authorized parties and for introduction of the records into evidence in administrative or court proceedings.

(e) Except as provided otherwise under federal law, upon receiving a request for a copy of a record from a patient or an authorized person under Code Section 31-33-3, a provider shall provide copies of the record in either tangible or electronically stored form.

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.